IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

OP.No. 34206 of 2002(V)

PETITIONER:

P.V.KOCHU, S/O. VARATHAPPAN,
PULLIKKOTTIL HOUSE, MASJID ROAD,
WADAKKANCHERRY, THRISSUR.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.GEORGE THOMAS

RESPONDENTS:

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1. THE EXECUTIVE ENGINEER,
ROADS AND BRIDGES, THRISSUR.

2. THE CHIEF ENGINEER,
ROADS AND BRIDGES, THIRUVANANTHAPURAM.

3. STATE OF KERALA,
REPRESENTED BY SECRETARY, PUBLIC WORKS DEPARTMENT
(ROADS AND BRIDGES), THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER- ADV. SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Original Petition 34206/2002

ORDER ON CMP NO. 57806/2002 IN Original Petition NO.34206/2002

DISMISSED.

06/02/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	COPY OF THE PHOTOGRAPH (3 IN NOS.) SHOWING THE LIE OF THE PROPERTY OF THE PETITIONER.
EXT.P2	COPY OF JUDGMENT DATED 22/10/2002 IN Original Petition NO.16268/2002 OF THIS HONOURABLE COURT.
EXT.P3	COPY OF ORDER NO. A8-1166/2001 DATED 24/10/2002 OF THE 1ST RESPONDENT.

//TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 34206 of 2002

Dated, this the 6th day of February, 2007

J U D G M E N T

The petitioner's property was acquired at high cost of Rs. 24 lakhs for construction of a road. However, petitioner's grievance is that since the road was constructed by digging and levelling the land, petitioner's property is now at higher level. He therefore demands construction of a road to his property at Government cost. I do not think petitioner can demand respondents to construct road to his property. It is up to the petitioner to construct road or path way required for his property at his cost. O.P. is therefore dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg